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Atari Online News, Etc.
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->From the Editor's Keyboard "Saying it like it is!"
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Just so you realize that I was not simply being a whiner when I was complaining about all of the rain we've been having lately, we just set an all-time record for rainfall during the month of April. Now, it's time for the weather to improve - at least for a few days. I'm anticipating some nice weather to last for awhile. Even if it isn't all that great, I'm planning to take some vacation in the next couple of weeks to unwind. Call it what you will, "mental health" days or "battle fatigue" days - I need the time away from the workplace. A day off here and there just doesn't cut it like in the "old days"!

I have done quite a bit of yard work already (last weekend was perfect to work outside), so now it's time to start planning what to do with the gardens, do some trimming here and there, finish up our two rooms (finally!), and other projects that have been laying dormant over the winter. I can't wait to get going even more; it's such a great time of the year as far as I'm concerned. A lot of people look at me as if I'm crazy when they ask me where I'm going on vacation, and I tell tell that I'm staying at home. I feel that I don't have to go anywhere to enjoy a vacation. To me, vacation time is time away from work. Sure, it's nice to go away somewhere once in awhile, but that's not always possible. For me, I like to be able to sleep in some days. I like to relax, putter around in the yard, get some painting done, do some reading, get in some golf - whatever I'm in the mood for at the time. When I was younger, and had a lot fewer responsibilities, it made more sense to do the "vacation" thing and go places. There will plenty of time after I retire (I hope!) to do some travelling if that's what I want to do. So, with vacation on the mind, let's get on with this week's issue of A-ONE!

Until next time...

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Atari++ 1.33 Ready

Hi folks,

The next 1.33 release of the Atari++ emulator is available for
download at its usual place at:

http://www.math.tu-berlin.de/~thor/atari++/

What's new this time:

o) Fixed a missing dependency in the *ix built-process. Seems that
libSDL requires explicit linking against libpthread on some systems.
o) Added much better emulation of color artifacts of Hi-Res images.
Thanks a lot to Slor for sending me screen-snapshots of his NTSC TV.
The colors you get are "close" to what I've seen, though the emulation
is not yet 100% perfect (it should use the RGB color space if available,
and not the Atari color space).

Finally, a couple of "annoyance" fixes:

o) Added support for the mouse wheel for SDL and X11 front-ends.
o) Added a keyboard input buffer. This helps "fast typers" like me
since the Atari is sometimes not fast enough to "catch up".
o) I also worked a bit on the CPU emulation. Not that things were
speed-critical, but I polished the code a bit so it avoids some
branch-prediction errors on the P4.

Have fun,

   Thomas

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PEOPLE ARE TALKING
compiled by Joe Mirando
joe@atarinews.org

[Editor's note: Due to lingering neck pains (no I didn't say that it was his wife!), Joe's column this week is unavailable. Stay tuned next week!]

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->In This Week's Gaming Section
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- PS2 Price Cut Pressure!
- Metal Gear Solid!
- Console Catch-up!

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Pressure on Sony for PS2 Price Cut Grows

Sony Corp may be forced to cut the price on its PlayStation 2 video game console as soon as the coming weeks or risk being outsold in the U.S. market by rival Microsoft Corp., analysts said on Tuesday.

Sony forecast earlier on Tuesday that PS2 sales in the business year ending March 2005 would fall by as much as 30 percent, a much sharper decline than analysts had expected.

Unless Sony cuts the price on its PS2 in order to spur sales, U.S. game software makers, many of whom track Sony's fiscal year, may find sales growth targets harder to reach, analysts said.

Sony's forecast that it would ship 14 million PS2s in the fiscal year to March 2005, down from 20.1 million in the year ended March 2004, came as a surprise to some analysts.

RBC Capital Markets analyst Stewart Halpern said he had expected flat year-over-year shipments of the console.

"Our forecast may be higher than some," but the 30 percent drop is greater "than most, if not all, expectations," he said in a note.

The basic PS2 sells for $179 in the United States, making it the highest priced of the three consoles. Microsoft cut the price of the Xbox to $149 from $179 in late March and saw its sales double in the days following.

American Technology Research analyst P.J. McNealy said the Xbox was likely to overtake the PS2 on a units-sold basis for the first time ever in the United States in April. He estimated Xbox sales of 275,000 units this month, versus about 200,000 units for the PS2.

PS2 sales have been falling in the United States this year, and in the just-ended fiscal year Sony said PS2 unit shipments fell 37 percent in North America.

There has been a rising clamor from game publishers for Sony to cut the price of the PS2 by the opening of E3, the video game industry's annual trade show, the week of May 10.

"It is our position that (Sony) has not yet decided as to whether or not to cut PS2 prices between now and the E3 trade show in mid-May, but the April retail sales data may be a compelling factor to cut prices sooner rather than later," McNealy said in a note.

Most analysts agreed that software growth projections for 2004 could be imperiled if PS2 shipments keep falling, though the industry could still grow at a slower rate.

Schwab SoundView Capital Markets analyst Colin Sebastian said in a note that software sales growth for the calendar year would fall to 6 percent from his current 7 percent estimate if hardware shipments fell to 5 million units from a current projection of 6.5 million units.

RBC’s Halpern said software growth could fall as low as 3 percent instead of 8 percent as he had expected, depending on how many PS2 units end up selling in the United States.

"We continue to believe that each of the video game stocks we follow will tend to outgrow the market, but today’s Sony news increases the challenge for the growth story of these stocks," he said.

Metal Gear Solid: The Twin Snakes

Everyone’s favourite bandana-wearing, nanomachine-fuelled action hero has finally arrived for Nintendo’s GameCube.

Metal Gear Solid: The Twin Snakes is a retelling of the original 1998 PlayStation game starring Solid Snake. Metal Gear veterans won’t find much new, but the GameCube edition does have better graphics and some interface tweaks.

Thankfully, it retains the original’s stealthy style and quirky humour, not to mention the extended movies fans have come to love. They’re all here, looking better than ever.

Once again we find Snake out of retirement. He’s been launched from a submarine to a snowy Alaskan island in search of ne’er-do-well, nuke-toting terrorists.

As Snake, you’ll have to infiltrate the enemy base, rescue a few high-ranking government military officials and take out the terrorist group’s top bosses.

The key is staying unnoticed. You’ll slink through ventilation ducts, tiptoe along metal platforms and dodge the piercing eyes of surveillance cameras.

You could choose to wage war head-on, but the consequences of blown cover are severe: wave after wave of angry genome soldiers will do their best to kill you.

The action is spliced between dozens of lengthy computer animated movies which tell the surprisingly deep plot (for a video game, anyway).

Sometimes the movies were a bit too long and cut into action sequences I would have rather played than watched.

I was holding my own, ready to clobber a one-eyed cyber ninja. But just as victory was mine, the game switched to movie mode. So I was stuck watching a cinematic version of myself defeating my foe, not me.

Even with the movies, this game is short. I finished it in a day on the normal difficulty setting.

There are some extras to extend the replay value. After you finish the game, you can aim for true bragging rights by completing the ultra-tough "game over if discovered" mode.

The controls were a bit awkward for a long-time PC gamer like me.

I’m used to roaming virtual worlds in all three dimensions. But with Metal Gear Solid, you must switch between a top-down perspective to move around, and a 3D view to shoot and look around. I died quite a few times before I got the hang of it.

Snake, a bizarre blend of Clint Eastwood Dirty Harry machismo and Japanese anime hero, certainly steals the show.

He smokes, grunts line after line of cheesy dialogue - "There are no heroes or heroines. You lose, you die a dog’s death." - and isn’t shy about commenting on the physical attributes of female counterparts in this appropriately M-rated game.

If you’ve already played this game years ago but feel like reliving the experience, you’d probably be better off renting this game. But newcomers and GameCube owners will find a worthy addition to a well-established franchise, despite its age.

Playing Catch-Up on the Console

In an inconspicuous Texas office building, doom is being sealed pixel by pixel, polygon by polygon. More precisely, Doom 3, the long-awaited sequel in the enormously successful Doom video game series, is taking shape in the studios of Id Software.

Early glimpses reveal a hellish vision that might have kept Hieronymous Bosch up nights: gut-sucking demons, skeletal spiders topped with inverted human skulls and other assorted grotesqueries skittering and scampering along dark hallways. And Id has not yet settled on a release date for Doom 3 (sometime this year, they say), one thing is clear: the game has been designed to be played on only one console, Microsoft’s Xbox.

"Exclusivity has nothing to do with any decision to go with Microsoft for what we could get out of it," said Todd Hollenshead, Id’s chief executive. "It was a technology motivation entirely."

Faced with years of game development costing millions of dollars, Id concluded that Microsoft’s big black console had critical technology that its rivals - Sony’s PlayStation 2, by far the industry leader, and Nintendo’s GameCube - did not.

"All three consoles are really good," Mr. Hollenshead said by telephone from Id’s base in Mesquite, Tex. "But as far as basic capacity, Xbox just wins out in certain areas. It flat-out offers more capability."

That is a crucial distinction, Id and a number of other game developers are beginning to say aloud. Some, like Mark Rein, vice president of Epic Games, say that Xbox is the only console that can serve as an adequate showcase for the artistry and complexity of his company’s graphically complex games. A coming game from Epic, Unreal Championship 2: The Liandri Conflict, will be played only on Xbox.

"It has so much graphic power," Mr. Rein said, describing what he says is Xbox’s superior ability to process data rapidly and display it as movielike game play, a requirement for the fast-moving shooting-and-mayhem titles on which Epic built its reputation.

Such pronouncements are emerging at a critical point in the competition among game consoles. Unlike personal computers, game consoles remain largely unchanged in power and other capabilities until a successor is released, typically at five-year intervals. While none of the three console makers have publicly committed themselves to a date for the arrival of a next generation, there has been speculation that Microsoft could introduce a new Xbox as early as next year, and that Sony may follow with a new PlayStation in 2006. Their fortunes may hinge on the battle for game developers' allegiance.

Sony has prevailed up to now on symbiotic advantages: it sells more consoles because it has many of the most popular games, often exclusively, and developers of those games are attracted by the sheer number of PlayStation users. If Microsoft can woo more developers to Xbox, the balance of power in the next round could change.

"It's clear that the camps are being aligned for the next-generation consoles," said P. J. McNealy, an analyst with American Technology Research in San Francisco. "Whether or not Microsoft is playing for market dominance is another question. I think they would be pleased with a strong second-place showing."

To topple Sony from its No. 1 position any time soon would be a "titanic event, up there with the fishes and loaves on the all-time miracle list," he said.

Mr. McNealy said that recent sales figures indicate that Xbox will outsell PlayStation 2 in North America this month, by 275,000 units to 200,000, versus 100,000 for the GameCube. If so, it would be the first time any rival has surpassed Sony's console sales in North America in 45 months, he said.

That 45-month period roughly corresponds to the current generation of consoles. About 70 million units of PlayStation 2, released in early 2000, had been sold by January of this year. That compares with fewer than 14 million for Xbox, released in late 2001; GameCube, also released in late 2001, lags further.

Part of Sony's advantage, many experts note, has hinged on its ability to produce blockbuster games or lock up exclusives with third-party game developers. A best-seller like Rockstar's Grand Theft Auto: Vice City, a 2002 release for PlayStation 2 and the PC, can sell six million copies at $50 each. (It later became available for Xbox.)

Yet as the consoles approach the end of their cycle, the question is whether PlayStation 2 is beginning to cede some clout. Sony says no.

"PlayStation 2 is the clear leader in this generation, as demonstrated by the profitable business we have created both for ourselves and our partners," Molly Smith, a spokeswoman for Sony Computer Entertainment America, said by e-mail. "As the category driver, our goal is to continue to facilitate innovation during this product cycle while leading the industry toward the next round."

Microsoft and Sony each have fundamental strengths to exploit in the game arena. Sony is principally a hardware maker. Sony Computer Entertainment America's research and development laboratory, for example, has helped developers take full advantage of its console with hardware peripherals like its successful EyeToy for camera-assisted games. And Sony was

established in the console marketplace years before Microsoft arrived there.

Microsoft has a core strength in software. The console's very name was derived from a crucial Microsoft program for game developers, Direct X. The unit is "a Direct X box, a hardware manifestation of our software for games," said J. Allard, Microsoft's chief Xbox officer. The central needs of developers - like the ability to render game play at a higher resolution - were a guiding principle in the console's design.

Many developers say that PlayStation 2, meanwhile, is a more difficult console for creating games. Some complain that its software tools are not as intuitive as the Xbox's, especially for developers who have a long history of developing games for PC's.

And in the end, Xbox is clearly the most powerful console among the three. "On the technical specs it is fairly cut and dried," said Michael Goodman, a senior analyst for the Yankee Group. "Who's got the biggest processor? Microsoft. Who's got the highest-end video card? Microsoft. Who's got the most memory and the greatest flexibility with that memory? Microsoft."

Yet Mr. Allard played down Xbox's hardware advantages. Instead, he focused on software - "Software is the key that unlocks hardware, always has been and always will be," he said - and on tools that Microsoft is introducing to help game makers create sophisticated games for Xbox and PC's.

From the start, Mr. Allard said, Xbox was seen as a device that could benefit from software advances Microsoft had developed in the Windows PC world, which included PC gaming. The ease of crossing over between developing games for Xbox and tailoring them for the PC also makes it easier for some developers (like Id, with Doom 3) to produce releases for both.

Mr. Allard said he hoped to make the game-development process for Xbox more efficient with software packages that help developers accomplish graphics and sound tasks without having to build the tools themselves, as many do.

Microsoft unveiled that initiative last month under the rubric XNA at the Game Developers Conference in San Jose, Calif. Some industry analysts expressed skepticism, though, that XNA would mean much to major developers like Id and Epic, which pride themselves on their own tools.

Whatever the software tools, Xbox's superior processing power (with a 733-megahertz chip, versus PlayStation 2's 295-megahertz variety), along with additional memory, are a draw for developers.

Donald Mustard, the director, lead designer and creator of Advent Rising, due in the fall from Majesco Games, has chosen Xbox as its exclusive console.

He said the game, the first in a planned trilogy, would be strikingly cinematic. Its reliance on bump mapping and pixel shaders, a technique that makes virtual surfaces appear reflective, demands a great deal from a console's hardware, something he said that only Xbox can show off.

"We're trying to create our own style for Advent," Mr. Mustard said. "Doom 3 is very much dark, shadows everywhere. We made our game look like a comic book, a graphic novel. But the way we do our texture maps, it won't look like a cartoon."

Similarly, Jack Sorensen, vice president for product development for THQ, a major video game publisher, said its coming Full Spectrum Warrior would first be released for Xbox because its design team determined that the console could do "certain things" that the others could not.

"We could get better color and lighting," he said, explaining why the designers of the military combat game, scheduled for release on Xbox in June and on PC's in the fall, bypassed PlayStation 2. "We have really maximized for the Xbox. That's why our product looks so good."

But Andy McNamara, editor in chief of Game Informer, a monthly magazine that covers the video game industry, noted that for all the concern about console capacity, many gamers are still playing on ordinary television sets.

"I love Xbox," he said. "I love all the things Xbox can bring, but how many people have high-definition televisions?"

Referring to the protagonist in The Chronicles of Riddick: Escape From Butcher Bay, an Xbox game expected soon from Vivendi Universal, he added: "Riddick is going to have a lot of detail. But he's going to spend a lot of time in the dark. With a bad TV image, all those grays are going to turn into nothing but blacks, and all the grays are going to be blacks."

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A-ONE's Headline News
The Latest in Computer Technology News
Compiled by: Dana P. Jacobson

Bush Seeks More High-Speed Internet Access, Tax Ban

President Bush on Monday urged the U.S. Congress to make Internet access permanently tax free and to reduce regulations so high-speed access can be universally available by 2007.

Bush complained that the United States was ranked 10th in the deployment of broadband, or high-speed access. To help boost that rank, he signed an order for the government to make it easier for broadband facilities to be built on federal land.

"If you want broadband access throughout the society, Congress must ban taxes on access," Bush told the American Association of Community Colleges annual convention. "Clear out the underbrush of regulation and we'll get the spread of broadband technology and America will be better for it."

Bush's broadband push coincides with debate beginning in the U.S. Senate on whether to renew or make permanent a ban that bars taxes on Internet access. Lawmakers are split on whether a ban would boost innovation and the roll-out of new technologies or deprive states and local governments of much needed funds.

The campaign of Bush's Democratic challenger, Sen. John Kerry of

Massachusetts, criticized the president for failing to make the tax ban part of previous tax cut packages.

Further, said Kerry spokeswoman Stephanie Cutter, "The Bush broadband policies don’t do anything to provide the new resources that will be needed to deploy broadband in rural and urban areas and they are not addressing the regulatory barriers that prevent deployment."

Already there are some 23.5 million high-speed Internet lines in service as of June 30, 2003, mostly serving American homes and small businesses, according to the latest government data available.

About 13.7 million consumers receive their service from cable companies, which can cost at least $40 a month, while 7.7 million customers get broadband from telephone carriers via digital subscriber lines (DSL) and pay about $30 per month.

The Federal Communications Commission has tried to reduce regulations on broadband but with mixed success.

Bush also touted a plan for every American to establish an electronic medical record over the next 10 years that would be available for doctors to review wherever a person seeks medical attention.

"These old methods of keeping records are real threats to patients and their safety and are incredibly costly," Bush said. "Modern technology hasn’t caught up with a major aspect of health care and we have to change that."

He pledged Americans would retain privacy of their records.

Senate OKs Bill to Ban Web Access Tax

The Senate voted overwhelmingly to restore a ban on taxing Internet connections for four years, stopping short of the permanent ban approved by the House.

The two chambers will try to work out their differences over an issue that pits a U.S. telecommunications industry trying to expand a range of services against state and local governments worried they could lose billions of dollars in tax revenue.

Congress first blocked state and local taxes on the services that connect consumers to the Internet in 1998. The ban lapsed while lawmakers tried to rewrite it and cover new high-speed and wireless connections, generally known as broadband.

The Senate settled its differences Thursday, voting 93-3 to restore the tax ban for 4 years.

"This bill will ensure that consumers will never have to pay a toll when they access the information highway," said Senate Commerce Committee John McCain, R-Ariz. "Plainly and simply, this is a pro-consumer, pro-innovation and pro-technology bill."

President Bush had asked Congress to permanently ban the levies. He said the Senate’s action moved the nation closer to banning the taxes to "help

make high-speed Internet services more affordable, increase the number of broadband users and enhance our nation’s economic competitiveness."

Senators made multiple changes to ease concerns of some governors-turned-senators who worried the ban could drain billions in tax dollars from state and local governments.

One change clarified that the ban did not apply to state and local taxation of voice telecommunication services, including Voice Over Internet Protocol or VOIP. That technology allows consumers to use the Internet to make telephone calls.

Some senators had worried that without the change, telecommunications companies could evade virtually all taxes as they migrated their communication systems onto the Internet’s backbone. Other senators wanted to ensure that states couldn’t find loopholes to tax not-yet-imagined wireless and broadband connections.

Sen. George Allen, R-Va., said the strong consensus about the ban’s technological scope settled Thursday could make it easier to negotiate for a ban longer than 4 years, but he added the House needs to accept the "reality" of some senators’ unease with a permanent ban.

"We’ll have to see," he said.

States that already had started taxing Internet connections before the 1998 ban preserve their right to continue collecting the payments under the Senate bill.

The Senate voted 59-37 to kill a proposal that would have extended the same rights to states that started taxing high-speed DSL connections after the 1998 tax ban. Those states imposed the taxes by arguing that DSL, which is delivered through a phone line, could be treated as telecommunications services like telephones.

Sen. Ron Wyden, D-Ore., said those DSL taxes violate the spirit of the 1998 law, which aimed to lower the cost of the Internet and speed its spread through all communities.

"They’re the last cash cows in the pasture," Wyden said.

The 17 states with DSL taxes have two years to phase them out.

Voting against the Senate bill were Democratic Sens. Jeff Bingaman, N.M.; Bob Graham, Fla.; and Frank Lautenberg, N.J.

Four senators missed the vote: Bob Bennett, R-Utah; John Breaux, D-La.; Jim Bunning, R-Ky.; and John Kerry, D-Mass.

A Kerry spokeswoman said Kerry, who was campaigning, would have voted for the bill.

Lawmakers Vow to Pass New Law Against Spyware

U.S. lawmakers vowed on Thursday to pass legislation to stop deceptive software even though regulators advised against any new laws.

Both Republicans and Democrats on the House Energy and Commerce Committee said new laws were needed to stop the proliferation of so-called "spyware" that hides in users' computers and secretly monitors their activities.

"There is no more pernicious, intrusive activity going on on the Internet today," said Rep. Joe Barton, chairman of the House Energy and Commerce Committee. "We really intend to do something about this."

Barton, of Texas, and other members attending an Energy and Commerce subcommittee hearing, backed a bill that would require purveyors of spyware on the Internet to notify people before loading new software on their machines.

The bill, introduced by Rep. Mary Bono, a California Republican, also would require that those companies identify themselves to computer users, and that the spyware be easily removable.

Lawmakers at the hearing described spyware as a "cancer" on the Internet. It can sap computing power, crash machines and bury users under a blizzard of unwanted ads. It can capture passwords, credit-card numbers and other sensitive data.

Many popular programs such as Kazaa and Morpheus that allow users to copy music and movies from each other's hard drives come bundled with applications that serve up pop-up ads or other marketing tools as a way to subsidize costs.

An EarthLink scan of 1.1 million computers released two weeks ago turned up more than 300,000 malevolent programs.

But the proposed legislation got a cool reception from regulators at the Federal Trade Commission, who said they already have the laws they need to combat the spread of spyware.

"The problem is not one of legal authority. It is one of developing and bringing a case in federal court," FTC consumer protection chief Howard Beales told the committee.

Beales said some spyware is actually used to help computer users. He and FTC commissioner Mozelle Thompson said it would be difficult to craft a law that would distinguish between spyware and legitimate software.

Beales also said new laws could be burdensome to legitimate software companies, requiring consent every time any piece of software is added to their customers' machines.

Thompson advised committee members to give the software industry a chance to solve the problem without new government intervention.

Members of the committee were unmoved by those arguments, however, and they questioned whether the FTC has done enough to stop the spread of problem.

The dearth of cases brought by the agency, they said, shows that new laws are necessary.

"What is wrong with a consumer simply knowing?" Bono asked.

To those for whom civic duty alone is not enough motivation to pay taxes, states are rolling out a new weapon: shame.

A growing number of states are hoping to humiliate delinquent taxpayers by putting their names online. Used in at least 13 states, with zingy names like CyberShame and DelinqNet, the Web sites are giving state tax collectors a surprisingly useful tool in gathering old taxes.

"We're trying to shame people," said Danny Brazell of the South Carolina Department of Revenue, which attributes $5.5 million in newly collected taxes to its Web site, Debtor's Corner, started in 2001.

"To have your neighbors be able to see your debt, that would be embarrassing of course, and that's the whole idea."

Some of the state Web sites are getting thousands of hits a day. It's a bit of legal snooping designed to "out" tax evaders.

In Georgia, the latest state to try online shaming, the debtor's list includes two celebrities. The estate of the late rapper Tupac Shakur owes $85,260, and the estate of the late TLC member Lisa "Left Eye" Lopes owes about $550,000.

In two months, Georgia's list has brought in $1.2 million. It's a small sum for a state that estimates $1.6 billion in unpaid taxes, but every bit helps.

"We don't have the assets to go out and chase these 420,000 people ourselves," said Department of Revenue spokesman Charles Willey.

The public humiliation tactic isn't new, just in a new forum. Governments used to post debtors' names in town squares or newspapers.

"Humiliating folks to shame them into paying what they owe goes back a long time. It's proven to be fairly successful," said Sujit CanagaRetna, an Atlanta-based fiscal analyst for the Council of State Governments.

With many states in the red, "they're fishing for all kinds of strategies to reduce these shortfalls," he said.

Privacy advocates warn the tax evader lists could harm the innocent. States do not post debtors' names until a lien has placed against them in court, meaning they've ignored several notices to pay back taxes and their tax information becomes public record. But some fear there aren't adequate safeguards to make sure people get pulled from the list if they've settled up.

"There's always the question of what happens if the government is wrong," said Pete Sepp, spokesman for the Washington-based tax watchdog group National Taxpayers Union. "This kind of information can ruin the financial reputations of people for years."

In Louisiana, home of the CyberShame site, people about to be listed are notified in advance. Fear of being on the Web site has brought in $315,000 over the last three years from people who settled up before being listed.

"These are people who have purposely avoided paying their fair share, and we've exhausted all options to collect," revenue spokesman Danny Brown

said. "But once their minister, their next-door neighbor, brother, friends, all them know about it, they’re much more amenable to paying what they owe."

U.S. Hits Four with Criminal Anti-Spam Charges

U.S. authorities said Thursday they had arrested two e-mail marketers and were searching for two others in the government’s first use of a new law designed to crack down on "spam" e-mail.

U.S. agents have raided a Detroit-area operation accused of sending out millions of e-mail advertisements for a fraudulent weight-loss patch, the Federal Trade Commission said.

Daniel Lin, Mark Sadek, James Lin and Christopher Chung could face up to five years in jail under a new anti-spam law that took effect in January.

They also face mail-fraud charges, which carry a maximum 20-year sentence.

Through their company, Phoenix Avatar, the four defendants earned nearly $100,000 per month selling a diet patch that had no effect at all, the FTC charged.

The defendants used the e-mail addresses of others to cover their tracks, a technique known as "spoofing," the FTC said.

Spoofing is illegal under the new anti-spam law.

Innocent e-mail users were swamped by undeliverable return mail and complaints when their addresses were spoofed, and some were mistakenly labeled as spammers and blacklisted by service providers, the FTC said in a court filing.

Consumers forwarded 490,000 of the company’s e-mails to the FTC since January, the consumer-protection agency said.

The operation has been shut down and the defendants’ assets frozen pending trial, the FTC said.

"These cases should send a strong signal to spammers that we are watching their operations and working together to enforce the law," FTC Chairman Timothy Muris said in a press release.

A lawyer for one of the defendants said he was considering a constitutional challenge to the law.

"Any time that there is a statute that has any kind of depravation of some rights, there very well might be a constitutional challenge," said Detroit attorney James Feinberg, who said Sadek would plead not guilty.

The FTC said it also filed charges to shut down an Australian operation that it said is responsible for massive amounts of spam in the United States.

The company, Global Web Promotions Pty Ltd., sold a similar diet patch and anti-aging products that experts say do not work, the FTC said.

Unwanted spam messages now account for more than half of all e-mail traffic, according to some estimates.

Daniel Lin, who has not yet been arrested, is listed as one of the Internet's most prolific spammers by the anti-spam group Spamhaus. James Lin has not yet been arrested either.

Feinberg said the two were expected to appear in court on Friday.

Four of the nation's largest e-mail providers used the new law to sue hundreds of marketers in March, but they only sought monetary damages, not prison sentences.

UK Makes One of First Internet 'Phishing' Arrests

British police have made one of the first arrests in connection with an Internet scam known as "phishing," which is plaguing the fast-growing Web banking business. A 21-year-old man is accused of trying to steal the banking details of customers at UK Internet bank Smile, authorities said on Thursday.

Over the past year, crafty programmers have been honing the scam by creating bogus e-mails and increasingly realistic Web sites where they try to con Internet customers out of their bank details or credit card numbers.

"It is believed this man was a copy-cat phisher, and is not connected to the organized crime group that is behind the global swathe of phishing scams targeting bank users in Australia, New Zealand, the UK and the USA," the UK's National Hi-Tech Crime Unit said in a statement. The NHTCU said officials from The Co-Operative Bank, who operate www.smile.co.uk, reported the scam last month to police.

A Smile spokesman said a "handful" of the bank's 500,000-plus customers supplied their details to the bogus site. "My understanding is nobody has lost any money," he added.

Some of the largest retail banks in the world, including Barclays, Lloyds TSB and NatWest in the UK, have been hit by the scam over the past year. Another favored target is auctioneer eBay's online payment service, PayPal.

In most cases, the scammers create elaborate looking e-mails masquerading as official notices from a bank or retailer saying their account needs to be updated or that a new product is on sale.

A link is provided in the e-mail to an official-looking Web site where the customer is instructed to input account details and credit card numbers.

Online banks regularly post warnings on their Web sites that, as a matter of policy, they will never e-mail customers asking them for their banking details.

Still, as the fraudulent solicitations and sites are perfected to look more and more authentic, police are warning the public to be hyper-vigilant.

Len Hynds, the head of the NHTCU, said "phishing" scams now represent about 25 percent of the unit's caseload, adding that banks and retailers are reporting on average two warnings per week since January.

Ed Barlow, a technology director for Web security firm Kavado Inc, said a powerful new phishing variation has emerged in the past three months in which fraudsters have taken over a genuine Web site and had the user's inputted details diverted to a storage point under their control.

In the realm of online fraud, he said this example is relatively rare at the moment. But he demonstrated how it could be done at a security trade show in London this week using a mocked up pet store Web site.

Security specialists and police repeatedly warn Internet users not to click on e-mail links unless they are certain of the sender.

Barlow goes a step further, suggesting a remedy that will not please e-mail marketers.

"If you are going to go into a Web site, go in directly through a Web browser, not through an e-mail link," he said.

Employers Could Be Sued for Porn Spam

E-mail porn spam in the workplace could land European employers in court for fostering a hostile work environment, a Dutch researcher said on Tuesday.

The broad wording of new European anti-spam legislation opens up a new breed of legal snares for Europe's corporate sector, according to Lodewijk Asscher.

"European employers must be aware of the risk of new computer-related liabilities," said the researcher for the University of Amsterdam's Institute for Information Law.

"An important example of such a potential new liability is the risk of being held accountable for not protecting employees against unsolicited pornographic e-mail."

He advises companies that operate an e-mail network to specifically inform users of the nature and content of spam and use filtering technology.

"Otherwise, an employer could be liable under European law for creating a hostile work environment," he told Reuters.

Employers have been held liable for failing to rid a workplace of defamatory or sexually explicit e-mails that circulate among or originate from its own employees.

Many legal experts believe courts will take a similar hard line on employers who fail to take appropriate measures to block racy spam messages from outsiders reaching their employees.

Jonathan Riley, a partner in Lawrence Graham's Commerce & Technology Team, likened pornographic spam to a defamatory message left on a company's kitchen bulletin board.

"If an employer knows it's getting through and is informed so by employees, and still does nothing about it, there could be a liability," Riley said.

Asscher drew his conclusion from a study he conducted on Europe’s anti-spam legislation. But legal experts believe most countries’ employment laws would also say employers must act against spam or face litigation. Spam, or unsolicited e-mail messages, now accounts for more than half of all e-mail messages sent, according to various industry estimates.

Once regarded as a mere nuisance, a new wave of spam carries viruses and so-called "trojan" computer programs capable of hijacking an unsuspected computer user’s PC.

Sybari Software, a computer security firm that collaborated on the study, said spam costs companies $356 per employee per year.

Microsoft to Tell What’s New With Windows

Microsoft will next week detail the next steps it is taking to extend Web services to devices such as printers, digital cameras, and consumer electronics.

At its Windows Hardware Engineering Conference, also known as WinHEC, an annual event for hardware makers, Microsoft is scheduled to discuss a "Web Services for Devices API" (application program interface), or WSDAPI, described in the conference agenda as an implementation of a new devices profile for Web services.

WSDAPI includes a runtime and tools to generate code for specific device classes and services, according to the agenda. It expands on WS-Discovery, a Web services specification Microsoft introduced in February, according to a source familiar with the technology. WS-Discovery describes a way for devices to find and connect to Web services in a simple way and could replace universal plug-and-play technology.

Intel, Canon, and BEA Systems helped develop WS-Discovery.

WSDAPI is part of a long-term Microsoft strategy and likely won’t show up in products until a few years from now, another source familiar with the announcement says.

At WinHEC in Seattle, Microsoft’s Windows Printing and Imaging team will also present more in-depth how Web services would work with printers and imaging devices. The team plans to discuss security, discovery, and eventing models for the technology as well as device protocols, according to the conference agenda.

Microsoft is also planning to introduce a management protocol based on SOAP (Simple Object Access Protocol), called Web services for Management Extension, or WMX. Microsoft will pitch WMX as a successor to the Simple Network Management Protocol, or SNMP, which is commonly used today for network and systems management.

The Web services announcements are expected to be part of a keynote presentation on Tuesday by Microsoft Chairman and Chief Software Architect Bill Gates. In his presentation, Gates is also expected to highlight long-term trends in processors, storage, networking, graphics, and peripherals. On-stage demonstrations are scheduled to include a peek at the future of home computing, with participation from Hewlett-Packard.

At WinHEC, Microsoft tells hardware makers where it is headed with Windows and related software products so they can allocate resources accordingly. In addition to Web services, Microsoft is planning to provide details about its plans for products including Windows Media DRM, Windows XP Media Center Edition, and Windows XP 64-Bit Edition.

Additionally, Microsoft is discussing a new "auxiliary display platform" for mobile PCs. This could mean that the vendor is adding support to Windows for extra displays. This could allow a PC maker to add a display on the outside of a notebook so a user can, for example, check the time, battery status, or see if new e-mail has arrived.

Attendees, of course, will also hear a lot about Longhorn, the code name for the next release of Windows. However, while Microsoft will talk about hardware drivers, graphics, and security in Longhorn, the product, expected in 2006, is too far out to provide complete hardware specifications, says Greg Sullivan, a lead product manager in Microsoft’s Windows client group.

"We will have guidance, Longhorn is still in a stage of development where we don’t have the final system requirements," he says. WinHEC attendees will receive a pre-beta preview version of Longhorn, an update to the preview version that was distributed in October last year at the Microsoft Professional Developers Conference.

WinHEC sessions on Longhorn will discuss topics including the Longhorn Driver Kit, location-based services in Longhorn, device installation changes, support for communication and collaboration applications, wireless WAN (wide area network) roaming, and the Longhorn print architecture, according to the conference agenda.

Next-Generation Secure Computing Base, the security technology scheduled to debut in Longhorn, is also on the agenda. NGSCB is a combination of new hardware and software that Microsoft says will greatly improve the security of PCs, although critics have raised concerns about user privacy. Microsoft demonstrated NGSCB for the first time at last year’s WinHEC.

Microsoft declined to provide any additional information on the WinHEC agenda or announcements.

EBay Billing Glitch Angers Sellers

EBay’s move to a new billing system has some sellers seeing double - double entries of debits and credits on their auction accounts, that is. Company executives say the software snafu hasn’t caused any overcharges, but some sellers complain the auction giant is too slow to address the problem, and that the ongoing fix is adding to the confusion.

The company first acknowledged a problem with the new billing software April 8, with a notice on its General Announcement Board in the Community section of the site. In its message, EBay noted that some sellers were seeing erroneous debits and credits on their invoices, and promised to resolve the issue within days. In the meantime, the firm offered to suspend automatic withdrawals from affected customers’ accounts to prevent overcharges.

Nancy Spaulding, an EBay seller from North Ridgeville, Ohio, says she’s

been dealing with the problem since well before April 8, but got only automated replies from EBay’s support services until recently. And despite the company’s pledge to suspend withdrawals until the situation is cleared up, she says in the last week EBay made an automatic withdrawal from her PayPal account without assuring her the problems are resolved.

Spaulding, a frequent contributor to EBay’s Community pages, says the company’s fix for the software problem led to hundreds of small debits and credits on her invoice, which were nearly impossible to decipher. A longtime EBay buyer, in the last six months she has also become a regular seller of clothing on the site. But the company’s slow response to this problem, plus ongoing concerns about billing, prompt her to question whether she’ll continue her EBay commerce.

"They need to make some sort of public announcement - not just on the board," Spaulding says. She’s aware of more than 100 other sellers experiencing similar problems, she adds. "If they had apologized at first, and switched back to the old software until they had this corrected, that would be one thing. It has been disgraceful how they haven’t kept anyone informed."

EBay has been completely up front about the billing problem and careful to avoid overcharging anyone, says Hani Durzy, a company spokesperson.

"It was a glitch and we’re in the process of fixing it, but it’s important to know that we have not double charged anyone," Durzy says. "We only started charging again after we reconciled their accounts."

Durzy says EBay has been migrating its huge customer base to the new accounting software, which offers many seller-requested features, since the beginning of 2004. The company encountered no problems until early April, when employees realized some sellers found February charges duplicated on their March invoices. Durzy declines to disclose how many sellers the glitch impacts, but he says EBay contacted all of them by e-mail as well as posting the announcement.

But solving the problem requires making the invoices more complicated at first, he notes.

"In the process of migrating these accounts over, and making the fixes to this glitch, at different times different sellers are seeing debit and credits that are part of the fix," he says. Those numerous debits and credits are what turned Spaulding’s invoice into a 120-page document that she says she can’t decipher.

"I didn’t see any human way for me to figure that out," she says of the redundant report.

Hours after PC World contacted EBay about the billing situation, Spaulding says, two EBay staffers called her to discuss the problem. Although they couldn’t explain the situation to her complete satisfaction, she says she’s now fairly confident the company hasn’t overcharged her.

A few minutes on the phone with a person helped her situation immensely, she says, adding that EBay should offer the same service to other customers experiencing these problems. Instead, the company continues to post ineffective messages that acknowledge the frustrating nature of the problem but fail to offer answers, she says.

Inadequate customer service is at the root of this problem, agrees another

EBay seller, who responded to a PC World inquiry but declined a formal interview.

"What EBay needs badly is a customer service number with someone that can assist you," he says. "This 'I feel your pain' stuff doesn't cut it when we are talking accounts and money."

Most people will find sufficient information and support in the Community board posts, EBay's Durzy says. Those who want additional help should contact the company through the regular e-mail-based customer support system, he adds.

Tool Fights Pop-Up Ad Blockers

In the ongoing battle over pop-up advertising, marketers are gaining a new weapon to fight back against the increasing use of pop-up ad blockers.

Falk eSolutions AG, a German-based vendor of online ad delivery systems, plans to offer publishers and marketers a way to thwart software that blocks pop-up and pop-under ads by automatically converting them into other forms of online ads when such software is detected.

The pop-up blocker detection will be an option in the company's AdSolution FX rich-media ad management tool, which is slated to be announced Wednesday, said Joe Apprendi, CEO of the company's Falk North America subsidiary.

With the option turned on, AdSolution FX will automatically replace a pop-up or pop-under ad with what are called "floating" ads, or ads that appear as transparent images over Web-site content, he said. Marketers also will be able to create and select their own types of replacement ads, if they choose.

"The proliferation of pop-up blocking software has made it harder for Web publishers and marketers to do business and monetize the content that users desire," Apprendi said.

Pop-up blockers have become common in ISP software bundles; in a range of Web-browser toolbars from companies such as Google Inc. and Yahoo Inc.; and in security software. Forrester Research Inc. projected that in 2002, about 15 percent of consumers already used a pop-up blocker. Apprendi said Falk estimates that number at about 20 percent today.

To read some opinions on pop-up ads, click here.

Whatever the percentage, it is likely to increase as Microsoft Corp. later this year releases Service Pack 2 for its Windows XP operating system. That update includes a pop-up blocker for Internet Explorer that is turned on by default.

Apprendi said Falk's pop-up blocker detection will work with IE's upcoming blocker because it is independent of the specific ad-blocking software.

Pop-up ads have drawn the attention of lawmakers. Click here to read how one pop-up ad software maker is fighting back against laws banning the ads.

But Falk's move to detect and overcome pop-up ad blockers won't be the last

battle cry in the pop-up ad wars. As quickly as the company announced its new offering, one developer of ad-blocking software, InterMute Inc., was firing off its own challenge to those trying to overcome its AdSubtract software.

"Over the years, various companies have claimed to have a way to sidestep their online ads from being blocked," InterMute CEO Ed English said in a statement. "History has shown [that our] AdSubtract has no problem keeping up with ever-changing online ad technologies."

AOL Subscribers Get E-Mail Flexibility

America Online subscribers can now check their e-mail using most third-party software, yet another sign of holes opening up in the Internet dial-up leader's walled garden.

That means Internet users accustomed to Outlook, Outlook Express, Eudora and other programs needn't use AOL's proprietary software or use Web-based interface to check their AOL electronic mail.

AOL quietly began supporting the open IMAP protocols on April 5 and formally launched it Wednesday.

"We've had members that have said, 'I'm used to using Outlook at work or Eudora at my old ISP (Internet service provider), so why can't I do the same things?'" said Roy Ben-Yoseph, AOL's director of e-mail products.

Before, only AOL's main software, its AOL Communicator and the AOL-owned Netscape browsers supported AOL e-mail. Instructions for using IMAP are at AOL keywords "open mail access."

AOL also has been making more of its once-exclusive content available through its Web site. It has been shifting from its proprietary programming language, known as "Rainman," to the hypertext markup language that powers the World Wide Web.

Among other major e-mail providers, Yahoo! also offers access through third-party software, starting at $19.99 a year. Yahoo uses the POP standard to do so.

Microsoft's Hotmail and MSN still limit access to the Web and Microsoft software such as Outlook and Outlook Express.

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